

REMARKS

Applicants received a Decision on Request for Rehearing dated October 1, 2010 from the Board of Patent Appeals and Interferences (BPAI) in which the BPAI denied Applicants' Request for Reconsideration filed on June 1, 2010. As such, it is believed that the BPAI Decision dated March 31, 2010 stands, wherein the BPAI: 1) affirmed the Examiner's rejections of claims 1-18 under 35 U.S.C. §103(a) as being unpatentable over Igarashi (USP '232) in view of Takahashi (USP '948); and 2) entered a new ground of rejection claim 1 as being rejected under 35 U.S.C. 103(a) for obviousness over Takahashi (USP '948) considered with or without Igarashi (USP '232).

However, claim 1 has been amended to include the features of cancelled claim 6 regarding *wherein the insertion section and camera head are detachable; and wherein said camera head including a view field mask, wherein said part of said relay optical system is constructed to be moved along the optical axis in a focusing operation.*

It is respectfully submitted that Igarashi (USP '232) and Takahashi (USP '948), alone or in combination, fail to disclose or fairly suggest these features now set forth in claim 1.

More specifically, on page 4 of the Examiner's Answer dated July 26, 2007, the Examiner relies on the disclosure in col. 16, lines 28-33, 60-63 of Igarashi (USP '232) for teaching the features of now cancelled claim 6 regarding **wherein said part of said relay**

optical system is constructed to be moved along the optical axis in a focusing operation.

However, these portions of the reference concerns movement of the eyepiece lens system and imaging lens system in focusing operations and not part of the relay optical system.

Accordingly, it is submitted that the Examiner's reliance on Igarashi (USP '232) for teaching these features now set forth in claim 1 are lacking, and therefore the Examiner has failed to establish a *prima facie* case of obviousness.

In view of the aforementioned amendments and accompanying remarks, Applicants submit that the claims, as herein amended, are in condition for allowance. Applicants request such action at an early date.

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney to arrange for an interview to expedite the disposition of this case.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,
WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP

/THOMAS E. BROWN/
Thomas E. Brown
Attorney for Applicants
Registration No. 44,450
Telephone: (202) 822-1100
Facsimile: (202) 822-1111

TEB/nrp